

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

BALESTRIERE PLLC,

Plaintiff,

- against -

JAMAL E. WATSON,

Defendant.

Index No.: 08-cv-578 (RWS)

ECF

**PLAINTIFF'S APPLICATION FOR
ORDER OF DEFAULT JUDGMENT**

Plaintiff Balestriere PLLC ("Balestriere PLLC" or "Plaintiff"), by and through its attorneys Balestriere Lanza PLLC, and pursuant to Rule 55 of the Federal Rules of Civil Procedure, moves this Court for an Order of Default judgment against Defendant Jamal E. Watson for his failure to file an appearance, submit an answer, or otherwise plead to Plaintiff's Complaint. Plaintiff respectfully submits the accompanying Affidavit of Craig Stuart Lanza in support of this Application.

WHEREFORE, Plaintiff respectfully prays that an Order of Default be entered by this Court against Defendant Jamal Watson for his failure to file an appearance, submit an answer, or otherwise respond to Plaintiff's complaint in the amount of \$125,254.97.

Dated: New York, New York
July 29, 2008

Respectfully submitted,

s/Craig Stuart Lanza

Craig Stuart Lanza

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Attorney for Plaintiff

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**[PROPOSED] ORDER OF
DEFAULT JUDGMENT**

This action having been commenced on January 23, 2008, by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been served on the Defendant Jamal Watson, on May 19, 2008, by “nail and mail” pursuant to pursuant to F.R.C.P. 4(e)(1) and N.Y. C.P.L.R. § 308(4), and a proof of service having been filed on June 27, 2008, and the Defendant not having answered the Complaint, and the time frame for answering the Complaint having expired, it is

ORDERED, ADJUDGED AND DECREED: That the Plaintiff have judgment against Defendant in the liquidated amount of \$120,684.74, with interest at 6.5% from January 23, 2007, amounting to an additional \$3,978.23, plus other costs and disbursements of this action in the amount of \$592.00, for a total of \$125,254.97.

Dated: New York, New York

U.S.D.J.

This document was entered on the
docket on _____.